

## UNITED STATES PATENT AND TRADEMARK OFFICE



UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Vignia 22313-1450 www.uspto.gov

APPLICATION N	O. F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/917,453		07/27/2001	Richard Lee Taylor	121,024	121,024 9689	
23397	7590	07/29/2003				
		NATIONAL COR	EXAMINER			
	DE 32-A02		DOLE, TIMOTHY J			
MIAMI, I	FL 33116-9	013		ART UNIT	PAPER NUMBER	
				2858		
				DATE MAILED: 07/29/2003	DATE MAILED: 07/29/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action    G9817.433		Application No.	Applicant(s)					
Examiner   Art Unit   Timothy J. Dole   2858    -The MAILING DATE of this communication appears on the cover sheet with the correspondence address	Advisory Action	09/917,453	TAYLOR ET AL.					
THE REPLY FILEO 09 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either. (1) a timely filed damendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.  PERIOD FOR REPLY [check either a) or b)]  The period for reply expires Zinonths from the mailing date of the first rejection.  The period for reply expires Zinonths from the mailing date of the first rejection. Only CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REJECTION. See MIPEP ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE MIPEP ONLY CHECK THIS		Examiner	Art Unit					
THE REPLY FILED 09 July 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.13 may only be either. (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.134.  PERIOD FOR REPLY (check either a) or b)  The period for reply expires on: (1) the mailing date of the final rejection.  PERIOD FOR REPLY (check either a) or b)  The period for reply expires on: (1) the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE TIRST REPLY WAS FILED WITHIN TWO MONTHS for the railing date of the final rejection. ONLY CHECK THIS BOX WHEN THE TIRST REPLY WAS FILED WITHIN TWO MONTHS for the relief NULL REJECTION. See MFEP Checks and the corresponding amount of the final rejection only check and the set of proprises of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee have been filed a the date for purposes of determining the period of extension and the corresponding amount of the fire. The captoriate extension fee have been filed a the date for purpose of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee was a second of the se		Timothy J. Dole	2858					
Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.13 may only be either. (1) a timely filed mendement within places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.134.    PERIOD FOR REPLY [check either a) or by]	The MAILING DATE of this communication appears on the cover sheet with the correspondence address							
a) The period for reply expires 2months from the mailing date of the final rejection.  The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, with the statutory period for reply expire the tran SIX MONTH'S from the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP TOOR TO MAN THE PROPERTY OF THE PROPERT	Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued							
b) ☐ The period for reply expires ont (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, with the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).  Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee the been filed is the date for purposes of determining the period of derension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.136(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (3) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any semed patent term adjustment. See 37 CFR 1.704(b).  1	<b>V</b>							
37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the malling date of the final rejection, even if timely filled, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).  1. A Notice of Appeal was filed on Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2. The proposed amendment(s) will not be entered because:  (a) they raise new issues that would require further consideration and/or search (see NOTE below);  (b) they raise the issue of new matter (see Note below);  (c) they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet.  3. Applicant's reply has overcome the following rejection(s):  4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. The aj affidavit, bj achibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because:  6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or bj will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) eljected: 1-16.  Claim(s) picted to:  Claim(s) withdrawn from consideration:  Note the attached Information Disclosure Statement(s)( PTO-14	b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.  ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).							
37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.  2	37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any							
(a) ⊠ they raise new issues that would require further consideration and/or search (see NOTE below);  (b) ☐ they raise the issue of new matter (see Note below);  (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet.  3. ☐ Applicant's reply has overcome the following rejection(s):  4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because:  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) dejected to:  Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  8. ☐ The proposed drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner	37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.							
(b) ☐ they raise the issue of new matter (see Note below); (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet.  3. ☐ Applicant's reply has overcome the following rejection(s):  4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. ☐ The a)☐ affidavit, b)☐ exhibit, or c)☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because:  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☒ For purposes of Appeal, the proposed amendment(s) a)☒ will not be entered or b)☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) objected to:  Claim(s) withdrawn from consideration:  8. ☐ The proposed drawing correction filed on is a)☐ approved or b)☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner								
(c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or  (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.  NOTE: See Continuation Sheet.  3. ☐ Applicant's reply has overcome the following rejection(s):  4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because:  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☒ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) withdrawn from consideration:  8. ☐ The proposed drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner	<ul><li>(a)</li></ul>							
issues for appeal; and/or  (d)								
NOTE: See Continuation Sheet.  3. Applicant's reply has overcome the following rejection(s):  4. Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because:  6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) withdrawn from consideration:  8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)	$\cdot \cdot = \cdot \cdot$							
<ul> <li>3. □ Applicant's reply has overcome the following rejection(s):</li> <li>4. □ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).</li> <li>5. □ The a) □ affidavit, b) □ exhibit, or c) □ request for reconsideration has been considered but does NOT place the application in condition for allowance because:</li> <li>6. □ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.</li> <li>7. □ For purposes of Appeal, the proposed amendment(s) a) □ will not be entered or b) □ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.</li> <li>The status of the claim(s) is (or will be) as follows:</li> <li>Claim(s) allowed:</li> <li>Claim(s) objected to:</li> <li>Claim(s) withdrawn from consideration:</li> <li>8. □ The proposed drawing correction filed on is a) □ approved or b) □ disapproved by the Examiner.</li> <li>9. □ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)</li></ul>	(d) they present additional claims without cance	eling a corresponding number of	finally rejected claims.					
4. ☐ Newly proposed or amended claim(s) would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).  5. ☐ The a) ☐ affidavit, b) ☐ exhibit, or c) ☐ request for reconsideration has been considered but does NOT place the application in condition for allowance because:  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☑ For purposes of Appeal, the proposed amendment(s) a) ☑ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  8. ☐ The proposed drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner	NOTE: See Continuation Sheet.							
canceling the non-allowable claim(s).  5. The a) affidavit, b) exhibit, or c) request for reconsideration has been considered but does NOT place the application in condition for allowance because:  6. The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  N. Le  Supervisory Patent Examiner								
application in condition for allowance because:  6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.  7. ☑ For purposes of Appeal, the proposed amendment(s) a) ☑ will not be entered or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  8. ☐ The proposed drawing correction filed on is a) ☐ approved or b) ☐ disapproved by the Examiner.  9. ☐ Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner								
raised by the Examiner in the final rejection.  7. For purposes of Appeal, the proposed amendment(s) a) will not be entered or b) will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s).  N. Le  Supervisory Patent Examiner								
explanation of how the new or amended claims would be rejected is provided below or appended.  The status of the claim(s) is (or will be) as follows:  Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  8 The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9 Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner								
Claim(s) allowed:  Claim(s) objected to:  Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  8.								
Claim(s) objected to:  Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  8.  The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9.  Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner	The status of the claim(s) is (or will be) as follows	:						
Claim(s) rejected: 1-16.  Claim(s) withdrawn from consideration:  8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner	Claim(s) allowed:							
Claim(s) withdrawn from consideration:  8.  The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner	Claim(s) objected to:							
8. The proposed drawing correction filed on is a) approved or b) disapproved by the Examiner.  9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s) N. Le  Supervisory Patent Examiner	Claim(s) rejected: <u>1-16</u> .							
9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s)  N. Le  Supervisory Patent Examiner	Claim(s) withdrawn from consideration:							
10. Other: N. Le Supervisory Patent Examiner								
10. Other: N. Le Supervisory Patent Examiner	9. Note the attached Information Disclosure Stateme	ent(s)( PTO-1449) Paper No(s).	- de					
Supervisory Patent Examiner			, ,					
	T50	Supe Te	ervisory Patent Examiner					

C ntinuation Sheet (PTO-303)

Application No.

Continuation of 2. NOTE: added limitations: "a first electrical signal" and "a second electrical signal" would require further consideration and/or search.

Applicants arguments were addressed and discussed in the Office Action filed 1/28/2003.